

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
-vs-	)	Case No. 08 CR 487
	)	
	)	Judge Elaine E. Bucklo
	)	Magistrate Judge Arlander Keys
JESUS GONZALEZ	)	

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE PRETRIAL MOTIONS**

NOW COMES the Defendant herein, JESUS GONZALEZ, by and through his attorney, DANIEL E. RADAKOVICH and respectfully prays this Honorable Court to enter an Order granting Defendant an additional period of fourteen (14) days in which to file his pretrial motions and for other relief and in support whereof states as follows:

1. That on August 14, 2008 Defendant filed a Motion for Extension of Time to File Pretrial Motions which was unopposed by the Government. (See electronic filing document numbers 16 and 17).
2. In a minute entry entered by this Honorable Court on August 18, 2008 Defendant's (unopposed) motion for extension of time (16) was granted and Defendant was granted until September 4, 2008 to file his pretrial motions. (See electronic filing document number 18).
3. That defense counsel has obtained telephone records from five (5) potential witnesses to a motion to Suppress Evidence and is seeking additional telephone records for one of the Government's agents.
4. That on August 4, 2008 defense counsel became aware of two (2) additional and potential eye witnesses to the events surrounding the subject matter of the motion to suppress evidence. Defense counsel has scheduled a meeting with these witnesses on Sunday, September 7, 2008 in order to accommodate one of the witnesses' work schedules.
5. That defense counsel is also in the process of drafting affidavits in support of said motion to suppress evidence and needs some additional time to meet with the witnesses (affiant) in order to prepare affidavits that maybe submitted in support of the motion to suppress evidence.
6. The issue of the motion to suppress evidence is a warrantless search of the Defendant's home in this matter where consent-and the timing of the alleged consent-is an issue.
7. That in a telephone conference that defense counsel had with Assistant United States' Attorney Anthony P. Garcia on the afternoon of September 4, 2008 the defense and

Government have come to the following agreement-subject to this Honorable Court's approval-which is summarized as follows:

- a. That the Government does not oppose the defense being granted an additional period of fourteen (14) days or until September 18, 2008 to file pretrial motions in this cause;
  - b. That the defense does not oppose the Government being granted an additional period of ten (10) to fourteen (14) days thereafter to file the Government's response (thus making the Government's response due on either September 29 or October 2, 2008);
  - c. That the status hearing currently set for September 19, 2008 at 10:00 a.m. be reset for October 3, 2008 (or any date thereafter) for the purpose of the parties appearing to set a later hearing date on the defense's motion to suppress evidence;
  - d. That the parties also agree that "time be excluded" for the filing of these motions subject to United States v. Tibboel;
  - e. That the parties also agree that this Honorable Court may rule on the above and foregoing motion without the necessity of a hearing should this Honorable Court so desire.
8. That defense counsel has scheduled a hearing date on this Motion for Extension of Time should this Honorable Court require counsel to appear.

WHEREFORE, Defendant respectfully prays this Honorable Court for the following relief as is stated in Paragraph 7a through 7e inclusively.

Respectfully submitted,

s/Daniel E. Radakovich  
DANIEL E. RADAKOVICH

**CERTIFICATE OF SERVICE**

I hereby certify that on September 4, 2008, I electronically filed the foregoing UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE PRETRIAL MOTIONS with the Clerk of Court using the CM/ECF system which will send notification of such filing(s) to the following:

Honorable Patrick Fitzgerald  
United States State's Attorney  
219 South Dearborn Street  
5<sup>th</sup> Floor  
Chicago, Illinois 60604  
United States Department of Justice  
Attention: AUSA Anthony P. Garcia

Carrie J. Holberg  
United States Pretrial Services Officer  
United States Pretrial Services  
219 South Dearborn Street  
Room 15100  
Chicago, Illinois 60604

By: s/Daniel E. Radakovich